

CRC TRAINING ON RECORD RETENTION

Statutory Requirement for Record Retention

The State Records Management Act, Government Code Sections 14740 – 14774, requires the Commission to establish and maintain a program for the economical and efficient management of its records. Records are “[A]ll papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documents produced, received, owned or used by an agency, regardless of physical form or characteristics. Library and museum materials made or acquired and preserved solely for reference or exhibition purposes, and stocks of publications and of processed documents are not included within the definition of the term ‘record’ or ‘records’ as used in this chapter.” (Gov. Code, § 14741.) And under State Administrative Manual, Sec. 1600, record includes any electronic media

Categories of records of particular importance to Commissioners

Letters: Discard when no longer needed, unless required to be kept permanently as part of redistricting process

Transmittals without significant information as to material transmitted: Discard when no longer needed

Transitory email, created to transmit information informally: Discard when no longer needed

Email consisting of information that, if not email, would be required to be retained: Retain for same period as if not email

Public Input as to redistricting, reports from consultants, draft redistricting maps: Retain for 10 years after redistricting completed, or for 10 years, whichever is later

Final redistricting maps: Retain permanently

Public Records Act requests: No record that may be responsive to that request is destroyed until the request has been satisfied. Upon complying with the Public Records Act request, any records not otherwise required to be retained need not be retained.

Litigation Holds: Records relevant to pending litigation must, at a minimum, be retained until the litigation is finally concluded.